IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE THIRTIETH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE B.PRAKASH RAO

WRIT PETITION NO : 16228 of 2002

Between:

1. Deshmuch Liakhat Ali Khan,

S/o Ali Nawaz Khan, R/o D.No.17/469,

Nehru Nagar, Madanapalle Town,

Chittoor District.

2. Syed Maqbool Ali, S/o Noorullasha,

R/o Main Road, Gurramkonda,

Chittoor District.

3. D.Zaimulla Khan, S/o D.Saifulla Khan,

R/o Main Road, Gurramkonda,

Chittoor District.

..... PETITIONER

AND

1. The Joint Collector (Civil Supplies),

Chittoor, Collectorate, Greamspet,

Chittoor, Chittoor District.

2. Inspector of Police, Vayalpadu,

Chittoor District.

3. The State, reptd. by the S.H.O.,

Valmikipuram Police Station,

Vayalpadu Circle, Chittoor District.

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ, order or direction more particularly in the nature of Writ of Mandamus declaring the action of the respondents in seizing 120 bags of rice weighing 40 kgs each along with the lorry bearing regn.No.ATA-5118 on 11.06.2002 at Gurramkonda Cross Road, Valmikipuram, within the limits of Valmikipuram Police Station in Cr.No.77 of 2002 of Valmikipuram Police Station under Section-7(1) of the Essential Commodities Act is illegal, arbitrary, without any authority of law and violative of Articles-20 and 21 of the Constitution of India and consequently, direct the respondents to desist from initiating proceedings under Section-6-A and 7 of the Essential Commodities Act and pass such other order or orders.

Counsel for the Petitioner: MR.D.VIJAYA CHANDRA REDDY

Counsel for the Respondents: GP FOR CIVIL SUPPLIES

The Court made the following :

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ORDER:

Heard both sides.

Having regard to the fact, that this Court had already granted interim directions in W.P.M.P.No.20371 of 2002, dated 28.08.2002, no further orders are necessary in the writ petition.

Accordingly, the writ petition is disposed of. However, it shall be open for the respondents herein to proceed with the enquiry, if any, already initiated. No costs.

B.PRAKASH RAO, J

30.08.2004

DR

To

1. The Joint Collector (Civil Supplies),

Chittoor, Collectorate, Greamspet,

Chittoor, Chittoor District.

2. Inspector of Police, Vayalpadu,

Chittoor District.

3. The Station House Officer,

Valmikipuram Police Station,

Vayalpadu Circle, Chittoor District.

4. Two CCs to Government Pleader for Civil Supplies,

High Court Buildings, Hyderabad. (OUT)

5. Two CD copies.